

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	CHILD CARE CENTERS POLICY & PROCEDURE MANUAL	3/91	1/16	12	12.2
CHAPTER Chapter 12. Complaint and Appeal Procedures		SUBJECT Types of Appeals			

Appeals of DHSS actions are conducted before an independent administrative hearing officer at the Missouri Department of Social Services' Division of Legal Services (DLS). DLS' main office can be reached at (573) 751-3229 (phone) and (573) 526-1484 (fax).

Who can appeal?

A person or entity that appeals action taken against them is called an "appellant." An institution, a sponsoring organization, a responsible principal, and a responsible individual can all be appellants.

Abbreviated administrative review: a review of written documentation only.

- In an abbreviated review, both the appellant and DHSS submit written documentation for the hearing officer to consider when deciding the appeal.
- An appellant requesting a written review may choose to have an abbreviated administrative review even if it is entitled to a full, in-person hearing.
- If DHSS denies the appellant's application or proposes to terminate an institution's CACFP participation based on any of the following reasons, the appeal must be an abbreviated administrative review:
 - Submission of false information on the application;
 - The institution or one of its principals or its facilities is on the NDL;
 - The institution or one of its principals or one of its facilities is ineligible to participate; or
 - The institution or one of its principals or one of its facilities has been convicted for any activity that indicates a lack of business integrity.
- To be considered by the hearing officer, the appellant must submit all written documentation in support of its appeal to the hearing officer within 30 calendar days from the date the appellant receives the DHSS' notice.
- An appellant cannot request an in-person administrative hearing after the abbreviated administrative review has taken place.

Administrative hearing: an in-person hearing at which the appellant and DHSS submit verbal testimony and evidence.

- The DLS hearing officer can hold a hearing in addition to, or instead of, an abbreviated administrative review only if it qualifies for an administrative hearing and the appellant requests a hearing in its appeal request.
- A copy of the notice from DHSS that outlines the actions the appellant is appealing.